

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
LONNIE GOODRICH,)
)
Defendant.)

Case No. 09-00353-10-CR-W-ODS

**ORDER (1) ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DENYING DEFENDANT'S MOTIONS TO SUPPRESS
AND (2) DENYING DEFENDANT'S MOTION TO DISMISS**

1. On February 10, 2012, the Honorable Sarah W. Hays, United States Magistrate Judge for the Western District of Missouri, issued her Report and Recommendation ("the Report") recommending that Defendant's motions to suppress be denied. Neither party filed objections to the Report and Recommendation, and the time for doing so has passed. 28 U.S.C. § 636(b)(1)(C); Local Rule 74.1(a)(2). The Court has also reviewed the matter *de novo* and concurs with the Report's conclusions. Accordingly, the Court adopts the Magistrate Judge's Report and Recommendation (Doc. # 415) and denies the motions to suppress (Doc. Nos. 382, 383, 389, and 390).
2. On February 16, 2012, Defendant filed a Notice of Filing that seeks dismissal of the charges against him. Defendant argues 18 U.S.C. § 3231 – the statute giving district courts jurisdiction to hear cases involving "offenses against the laws of the United States" – was not validly enacted. This argument has been uniformly rejected by every court to consider it. *E.g.*, United States v. Farmer, 583 F.3d 131, 151-52 (2d Cir. 2009), cert. denied, 130 S. Ct. 2365 (2010); Wolford v United States, 362 Fed. Appx. 231 (3d Cir. 2010); United States v. Risquet, 426 F. Supp. 2d 310, 311-12 (E.D. Pa. 2006). The Court joins the many other that have rejected this argument
IT IS SO ORDERED.

DATE: February 29, 2012

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT